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ABSTRACT

Arguments on topicality have the potential of becoming an infinite regress both as they are articulated in debate theory as well as how they are developed by debaters in rounds. An "Equal Ground" criterion is proposed as an effective means of assessing topicality. This criterion assumes the reasonability standard of topicality. Additionally, it assumes that the function of debate is to facilitate clash over substantive issues embodied by the resolution. Further, it is argued that topicality, as a procedural issue, should be evaluated by its relationship to eliciting the substantive issues of the debate. Topicality is the means by which substantive issues are defined and emerge. Current standards for resolving topicality, particularly the "reasonable" definition standard, are deficient in promoting this function. Finally, the Equal Ground criterion accepts the premise that the effect of the topicality issue should be to apportion approximately equal ground to the Affirmative and Negative teams. Equal Ground represents an additional warrant in the debate arsenal which may increase the likelihood of the debate focusing on the substantive rather than the procedural issues. (MM)

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Topicality: An Equal Ground Standard

Arguments on topicality have the potential of becoming an infinite regress both as they are articulated in debate theory as well as how they are developed by debaters in rounds. Much of the dispute has focused on whether "reasonable" definitions are a sufficient warrant for topicality (Herbeck & Katsulas, 1987; Parson & Bart, 1987; Unger, 1981). The alternative has been a standard proposing that topicality decisions should favor the "best/better" definition. In either instance, the criteria and standards for evaluating topicality may become highly technical arguments which bear little relation to the function of the topicality issue.

In this paper I propose the use of an "Equal Ground" criterion for the assessment of topicality. This criterion assumes the Reasonability standard of topicality. Additionally, it assumes that the function of debate is to facilitate clash over substantive issues embodied by the resolution. Further, it is argued that topicality, as a procedural issue, should be evaluated by its relationship to eliciting the substantive issues of the debate.

This analysis will look at four elements. The first element in this analysis will provide a rationale for tbe assumption that the function of debate is to facilitate clash over substantive issues. Second, I shall maintain that the issue of topicality is the means by which substantive issues are defined and emerge. Third, it is contended that current standards for resolving topicality, particularly the "reasonable" definition standard,

is deficient in promoting this function. Finally, I will suggest standards for the application and use of the "Equal Ground" criterion. The Equal Ground criterion accepts the premise that the effect of the topicality issue should be to apportion approximate equal ground to the Affirmative and Negative teams.

Debate as Substantive Argument

While I am tempted to assert the proposition that "the function of debate is to develop substantive argument" should be accepted as axiomatic, I believe a justification is useful. I believe the primary support for this assertion is vested in the activity itself. The National Developmental Conferences on Forensics (1974, 1984) adopted several recommendations which speak the function of debate as grounded in "the abilit[y] to analyze controversies, select and evaluate evidence, construct and refute arguments, and use the values of the audience as warrants for belief." (1974, 16) The more recent Developmental Conference in 1984 expressed the fundamental nature of forensics as "an educational activity primarily concerned with using an argumentative perspective in examining problems and communicating with people." (5)

The "controversies" and "problems" in these definitional statements refer to issues which exist in our political, social, economic, and political milieu. Debate topics reflect contemporary issues which exist in the larger society. The 1939-40 topic proposed strict economic and military isolation which

was concurrent with U.S. neutrality at the beginning of WW II. Concurrent with Watergate, the debate community selected curtailment of Presidential power in 1974-75. (Freeley, 1986) More recently the CEDA community debated "covert involvement in Central America" and "drug testing," topics which corresponded with heightened public scrutiny of similar issues.

While not all debate topics will be contemporaneous with the social and political issues of their day, the frequency with which they are situates academic debate in a real world context. Debate's relationship with external conditions is that the external world references issues. As a laboratory of these issues, fidelity conditions require that argument have some consistent, verifiable references.

Topicality as a Means of Apportioning Ground

Academic debate topics divide ground. This assertion is widely supported by such varied sources as Ziegelmueller and Dause (1975) who caution that topics be phrased in "neutral terminology," (18) Patterson and Zarefsky (1983) who say that the resolution serves as a boundary between "affirmative land" and "negative land," (109) while Parson and Bart (1987) conclude that "a reasonable interpretation of the resolution will provide an equal amount of argumentative ground to the affirmative and to the negative, thus preserving equity." (135)

The issue of topicality serves to address the question of whether the means employed for this division are fair. It may be

asked what constitutes a fair division? Wayne Brockreide (1975) proposed that one defining characteristic of argument is "a frame of reference shared optimally. [People] cannot argue effectively with one another if their presuppositions share too little or are virtually irreconcilable." (Ehninger & Brockreide 1978, 25) The very possibility of substantive argumentation requires that definitions provide meanings which are shared by both parties.

There is little doubt that definitions are selected for their strategic value in the same way that a team will feature evidence which favors its interpretation of reality. Brock et al (1973) acknowledged that cases are constructed with the end in mind of featuring the system which is most likely to result in the justification of their desired end. This is not to imply a judgment of deviousness. Rather, it is to say that cases, and their accompaning definitions, are selected to privilege one team's construction of reality. Cases, and definitions, are selected for their strategic value.

It is perfectly reasonable to expect an affirmative team to select those definitions which are consistent with its desired purpose. What is questioned is whether a negative need be obligated to argue a case or definitions which constrain its ability to explore the implications of the constructed reality. Negative teams may be equally inclined to argue a construction of reality which favors the arguments it prefers to advocate. In the most extreme case, the two competing constructions of reality with their attendent definitions will be incompatible.

When one considers that arguments in debate are "advocacy-centered" rather than "truth-seeking," then it may be asked whether a rationale exists to favor one advocate's pre-suppositions in over the others? To artificially and arbitrarily favor one description over another is to convey an advantage to the advocate who's construction is selected. To the extent that definitional issues undergird the description of reality, then they convey a connote an implication for the subsequent resolution of substantive issues.

Parson and Bart (1987) have argued that topicality constitutes the primary procedural issue in academic debate. They further assess that it remains one of the few remaining issues which is resolved as a dichotomous "Yes/No" choice as opposed to an issue resolved as a matter of degree. (131) While this statement is innocuous enough on its face, it belies their their subsequent criterion that a reasonable interpretation will provide each team with an equal amount of ground. (135) What if it is the case that neither team's definition apportions ground equally? The Reasonability standard proposed by Parson and Bart (1987) as well as by Herbeck and Katsulas (1987) is insufficient to meet the criterion of equal ground.

Limitations of "Reasonableness" and "Best/Better" Definitions

I should begin by noting that Parson and Bart (1987) and Herbeck and Katsulas (1987) advance similar, but not identical, criteria for assessing reasonability as a standard for

topicality. Only Parson and Bart include the criterion that a reasonable definition would provide equal amounts of ground to the affirmative and negative teams. Herbeck and Katsulas are silent on this criterion. However, each pair of authors develop "Field Context" and "Grammatical Context" as criteria for determining reasonability. Finally, the two papers indict the "Best/Better Definition" standard advocated by Unger (1981). I will deal with the two criteria in common to both sets and show how the criticisms applied to Unger are applicable to the Reasonability standard. The Equal Ground elements derived from Parson and Bart will be taken up in the final section of this paper.

The Field Context criterion for definitions begins with the assumption that the terms contained in the resolution are already used by some persons. These persons have an understanding of the meaning of the terms in the context with which they use them. Further, the Field Context criterion imports the assumptions of Toulmin (1958; 1972) that the field in which the terms are used should be evaluated by the standards of that field. Parson and Bart suggest that these usually correspond with academic disciplines (135) while Herbeck and Katsulas presume a field context, but are less clear in explaining what constitutes a field.

The criticisms of Field Context are based on the ambiguity of what constitutes a field and whether debate propositions are located exclusively within the domain of a single argument field.

Dudczak (1985) has previously argued that argument fields are pedagogically suspect in their failure to define unambiguous boundaries. We have embraced argument fields as conceptually attractive without clear guidance of their parameters. Without boundary conditions it is difficult to locate definitions with clear meaning. Several difficulties stem from this.

First, there may not be a discipline corresponding to the terms contained in the resolution. The recent CEDA topic proposing that increased restrictions on civilian possession of handguns would be desirable has no academic discipline, per se. The legal field, which has a relationship to the topic regarding the Second Amendment, does not have a consensus of understanding whether the right to bear arms is an individual or collective right. Moreover, the topic artificially separates handguns from the more common context of "gun control."

Second, assuming that argument fields had discrete domains and consensus understandings of terms, the location of terms in a debate resolution may not reside exclusively within one field. Consequently, no authoritative Field Context could be derived. Abortion represents a contemporary issue which cuts across the fields of law, medical science, and ethics, if not others. While all three fields may inform arguments on abortion, privileging one field over the others would distort the actual debate on abortion. For instance, if one imposed the "precedential" standard of law as pre-eminent in the abortion debate, then the assumptions of the Court's finding in Roe v. Wade would ignore

the moral issues Pro-life advocates feature in their arguments. Selecting a field context for a definition over competing contexts biases the subsequent resolution of substantive issues.

Finally, the criterion of a Field Context, assuming an exclusive field context exists, begs the question of whether the resulting definition equally apportions the affirmative and negative ground. The resulting definition may be used in the context of its field without regard to considering its equity to competing disputants in a debate context.

The second criterion common to Parson & Bart and Herbeck & Katsulas is Grammatical Context. The position embraced by both sets of writers is that the meaning of language in a debate resolution are bounded by the function of grammar in a declarative sentence. Further, both adhere to the position that a grammatical standard both examines "the 'correctness' of the definitions themselves," it also examines the "'correctness' of the combination of discrete definitions." (Williams & Cross 1979).

The most obvious violations are those which may occur when definitions render parts of the resolution redundant or those which transpose the grammatical function of a term such as when one defines a verb as a noun. Notwithstanding these violations' unreasonableness within the context of grammatical usage, it is unclear why the criterion of Grammatical Context is particularly helpful.

First, the argument on redundancy presupposes that the language of the resolution is itself not redundant. For instance, the Spring 1983 CEDA topic stating "that individual rights of privacy are more important than any other Constitutional right" invited the affirmative to decide whether "individual" rights of privacy were those continenced by the constitution or were rights outside those constitutionally provided. It would have been redundant to specify privacy rights were constitutionally provided without their specific expression in the resolution. Nevertheless, numerous cases were predicated on the penumbra privacy rights contained in other constitutional provisions. Theoretically, by the redunancy standard, this interpretation would have been unreasonable.

The grammatical transposition violation which occurs when one defines a noun as a verb is a clearer violation. The frequency with which this occurs is unknown. Moreover, it then tacitly implies that a grammatically correct definition is one which is reasonable. Further, Parson and Bart contend that this criterion in combination with Field Context further reduces the number of interpretations allowed. (137) This is arguable and no examples are provided to demonstrate its likelihood.

Finally, as with the Field Context criterion, grammatically correct definitions beg the question of whether equal ground will be afforded the respective sides in the debate. Just because a definition conforms to the grammatical rules of English does not mean that it provides both sides with equity.

The indictment of Best/Better Definition as a standard exposes the final limitation of Reasonability. Herbeck and Katsulas claim that the problem with reasonability is not in the concept, but rather in its application:

> If there is an argument to be made against reasonability, it lies not in the concept but the application. When debaters flaunt reasonability with blatantly nontopical cases, or when judges allow affirmatives to slide by with marginal interpretations of of the resolution because they "don't vote on topicality," they have cheated the reasonability standard. (150)

Of course, for Herbeck and Katsulas, the notion of blatantly non-topical cases or marginal interpretations is meaningless outside the criterion they provide. A case which can ground its definitions in some field context which is grammatically correct is sufficient to meet the topicality standard of Reasonableness as they have defined it. Only Parson and Bart provide for an additional criterion for adjudging reasonability; that is, through the application of Equal Ground.

Application of Equal Ground

The application of Equal Ground as a criterion of the standard of Reasonableness for topicality is an underdeveloped concept. While Parson and Bart presume that a fair division of argumentative ground is required for equity, they are ambiguous as to how this is applied. They write that "the judge will therefore examine the implications of the resolution for both the affirmative and negative. One of the ways this can be done is through an examination of the cases that would be topical given

the affirmative interpretation." (135) This raises at least two issues. First, one can ask if the judge limited to only those implications provided by the debaters? Second, does not this procedure unduly favor the negative by only examining the cases that would be topical by the affirmative definition? What about a negative definition which is equally limiting, albeit in the opposite direction?

The use of Equal Ground as a criterion for reasonableness is troubling for debate critics because it requires them to make a judgment about the <u>effect</u> of the topicality arguments. By this I mean that the critic/judge is placed in the position of deciding what constitutes the argumentative ground available to the resolution and then evaluating how the definitions divide it between the respective teams. This may be troubling, but it is not impossible. I will answer the two questions I raised above and then propose methods by which the critic/judge may assess the division of ground.

First, I presume that judge intervention is to be avoided. The implications of the definitions should be developed and defended by the debaters. A challenge to the reasonableness of the definitions on the criterion of Equal Ground requires that the debaters introduce the criterion, explain it, and articulate its implications for the judge. This requires that the challenged term(s) have alternative definitions offered and evaluated for their implications on the same grounds afforded to both teams.

Second, I presume that both the affirmative and negative definitions are subject to the same standards of evaluation. The negative definitions cannot be privileged by default. A negative cannot claim affirmative definitions fail to equally apportion ground and then deny an obligation to show the same for their definition. Of course, it would be an affirmative obligation to counter-apply the standards to the negative team's definitions.

The grounds for arguing Equal Ground are several. They range from analytic grounds to substantive effects. The following is a preliminary list:

Tautological grounds--The debater can argue that a definition violates the Equal Ground criterion when it is circular. Rieke and Sillars (1984) define circularity as the condition where one provides the "claim as the grounds." (85) For example, in one proposed Spring 1989 CEDA topic, an affirmative which argued that economic development, by definition, is unduly degrading to the environment would violate Equal Ground because the definition assumes its claim as grounds. The negative would have no substantive ground to argue because the definition preempts the possibility of economic development being anything other than evidence for the affirmative case.

Net case options--This standard probably comes closest to stating the number of viable alternative positions available to each side should approximate each other. It is most obviously violated when the alternatives available to one side approaches a single alternative, i.e., a negative definition which would allow

only one type of affirmative case, while reserving numerous options for the negative.

While it may be impossible to determine whether the alternatives afforded each side are approximate when both affirmative and negative have numerous alternatives, the disparity in available ground becomes conspicuous when the number of options available to one side is capable of being enumerated while the alternatives for the other side are apparently unrestricted.

In advocating the expansion of the Equal Ground criterion I am not rejecting Reasonability as a standard for topicality. Rather, I am suggesting that the criteria of Field Context and Grammatical Context are insufficient to address the "blatantly nontopical" or "marginal cases." Were debaters to argue the effect of how ground is distributed by the definitions, then critic/judges have an expanded ground for the consideration of topicality.

No standard of topicality or criterion for its application represents a remedy for the avoidance of clash on the substantive issues if debaters are so intentioned. Nevertheless, Equal Ground represents an additional warrant in the debate arsenal which may increase the likelihood of the debate focusing on the substantive rather than the procedural issues.

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